

**REMARKS**

Claims 2, 5-21, 24-34, and 37-55 are pending in the application.

Claims 2, 5-21, 24-34 and 37-55 have been rejected.

Claims 2, 6-21, 25-34, 37-46 and 49-54 have been amended.

Unless otherwise specified in the below discussion, Applicants have amended the above-referenced claims in order to provide clarity or to correct informalities in the claims. Applicants further submit that, unless discussed below, these amendments are not intended to narrow the scope of the claims. By these amendments, Applicants do not concede that the cited art is prior to any invention now or previously claimed. Applicants further reserve the right to pursue the original versions of the claims in the future, for example, in a continuing application.

**Rejection of Claims Under 35 U.S.C. §102**

Claims 2, 5-21, 24-34 and 37-55 stand rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 6,704,409 issued to Dilip et al. ("Dilip"). Applicants respectfully traverse these rejections.

In response to the Final Office Action, and in the interest of economy, Applicants have amended claims such that the claims are now even more clearly distinguishable over the cited art. However, Applicants have also examined Dilip, and have found the purported objective evidence teaching Applicants' claims at issue wanting. Applicants have previously presented arguments related to Dilip's failure to teach limitations of the pending claims, and those prior arguments are incorporated herein by reference. Although Applicants are amending the presently pending independent claims, Applicants reserve the right to re-assert the previous

discussion related to the lack of disclosure found within Dilip should the Examiner not find Applicants' claims, as amended herein, allowable.

**Claims 2 and 21:** Independent Claims 2 and 21, as amended, each contain a limitation of substantially the following form:

a configurable communication server configured to... access information regarding a type of communication that uses the communication channel...

*See, e.g.,* Claim 2 (amended). Applicants respectfully submit that the cited sections of Dilip fail to provide disclosure of the above amended claim limitation. Claims 2 and 21 have been amended to clarify that it is the configurable communication server which is configured to access the information regarding a type of communication using the communication channel. Support for this amendment can be found at least on page 9 of the Application. The cited sections of Dilip do not provide for the purported corresponding component of Dilip to the claimed communication server as being configured to perform the claim accessing.

The Office Action purports that Dilip's transaction processing system (40) corresponds to the claimed configurable communication server, while Dilip's transaction controller (44) corresponds to the claimed communication channel. *See* Final Office Action, p.4. As purported disclosure of the claimed being configured to access information, the Final Office Action cites to the following: Dilip Figure 4, element 104; Dilip Figure 5, elements 130-134; and, Dilip 9:23-54. Each of the cited sections of Dilip refer to Dilip's transaction controller or to procedures performed by Dilip's transaction controller. *See, e.g.,* Dilip 9:48-49 ("At step 104, the transaction controller determines how to handle the received transaction."); Dilip 11:8-11 ("The procedure illustrated in FIG. 5 can be performed by a transaction controller such as transaction controller 44 in FIG. 3"); Dilip 9:23-54 (describing a procedure purportedly executed by the transaction controller). Since the Final Office Action equates Dilip's transaction controller with

the claimed communication channel, and not the claimed communication server, it is clear that the cited sections of Dilip do not provide for a configurable communication server being configured to access information regarding a type of communication using the communication channel, as claimed.

Independent Claims 2 and 21, as amended, contain an additional limitation of the following form:

a configurable communication server configured to... access information regarding a type of communication that uses the communication channel... wherein the information is accessed from a memory storing data corresponding to a configuration of the communication channel.

*See, e.g.*, Claim 2 (amended). Support for the “wherein” amendment can be found in the Application at least on page 9. Applicants respectfully submit that the sections of Dilip cited by the Final Office Action related to the claimed “information” fail to provide disclosure of that information being accessed from a memory storing data corresponding to a configuration of the communication channel, as claimed.

Each of the sections of Dilip that are cited with regard to purportedly accessing information regarding a type of communication purport to examine the communication itself in order to determine how to handle that information. *See, e.g.*, Dilip, FIG. 5 element 130 (“Analyze transaction to identify the content of the transaction.”), Dilip 11:10-11 (“At step 130, the procedure analyzes the transaction to identify the content of the transaction.”); Dilip 9:39-49 (“At step 102, the transaction server communicates the received transaction to a transaction controller. When the transaction is communicated to the transaction controller at step 102, the transaction server may also communicate various communication about the received transaction. ... At step 104, the transaction controller determines how to handle received transaction.”). Thus, Dilip’s transaction controller (and not the transaction processing system, as discussed

above) performs the purported information accessing regarding the type of communication from the communication itself, and not a memory storing data related to the communication channel, as claimed.

For at least these reasons, Applicants respectfully submit that Dilip fails to provide disclosure of independent Claims 2 and 21, as amended, and all claims depending therefrom (Claims 5-14 and 24-33), and that these claims are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections as to these claims and an indication of the allowability of same.

**Claims 15, 20 and 47-49:** Independent Claim 15, 20 and 47-49 each contain a limitation of substantially the following form: "determining an event response by accessing information regarding the event, wherein the information is accessed from a memory storing data corresponding to a configuration of the communication channel." *See, e.g.*, Claim 15 (amended). Applicants respectfully submit that for the reasons discussed above with regard to the claim limitations of similar content, the cited sections of Dilip fail to provide disclosure of accessing event information from a memory, and instead relate to accessing information from the communication itself. For at least these reasons, and those discussed above, Applicants respectfully submit that independent Claims 15, 20 and 47-49, and all claims depending therefrom (Claims 16-19 and 50-53), are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections as to these claims and an indication of the allowability of same.

**Claim 34:** Independent Claim 34 contains a limitation of the following form:

a second set of instructions, executable by the processor, configured to access information regarding a type of communication that uses the communication

channel, wherein the information is accessed from a memory storing data corresponding to a configuration of the communication channel.

Claim 34 (amended). Applicants respectfully submit that for reasons similar to those expressed with regard to independent Claims 2 and 21, the cited sections of Dilip fail to provide disclosure of this claim limitation. As stated above, Applicants submit that the cited sections of Dilip fail to provide disclosure of information regarding a type of communication being accessed from a memory. Instead, the cited sections of Dilip provide for information regarding the communication being pulled from the communication itself.

For at least these reasons, and those discussed above with regard to independent Claims 2 and 21, Applicants respectfully submit that independent Claim 34 and those claims depending upon independent Claim 34 (Claims 37-46) are in condition for allowance. Applicants therefore respectfully request the Examiner's reconsideration and withdrawal of the rejections as to these claims and an indication of the allowability of same.

### CONCLUSION

In view of the remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5090.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on March 2, 2007.

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Date of Signature

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